

412 Rec'd PTO 06 MAR 2000

FORM-PTO-1390  
(Rev. 10-96)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

020600-285

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/462,635

INTERNATIONAL APPLICATION NO.  
PCT/GB98/02043INTERNATIONAL FILING DATE  
13 July 1998PRIORITY DATE CLAIMED  
11 July 1997TITLE OF INVENTION  
CATEGORISING NUCLEIC ACIDAPPLICANT(S) FOR DO/EO/US  
Günter SCHMIDT, Andrew Hugin THOMPSON

It is requested that this Application be prosecuted on the basis of amended Claims 1 to 30 that are attached to the International Preliminary Examination Report and as further amended in the Preliminary Amendment filed herewith.

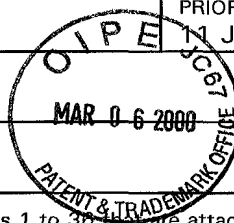
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and the PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:


Small Entity Declaration - Small Business Concern



|  |  |   |
|--|--|---|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)<br><b>09/462,635</b> | INTERNATIONAL APPLICATION NO.<br><b>PCT/GB98/02043</b> | ATTORNEY'S DOCKET NUMBER<br><b>020600-285</b> |
|--|--|---|

|   |              |              |                  |                        |              |
|---|--------------|--------------|------------------|------------------------|--------------|
| 17. <input checked="" type="checkbox"/> The following fees are submitted:   |              |              |                  | CALCULATIONS           | PTO USE ONLY |
| <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b><br>Search Report has been prepared by the EPO or JPO ..... \$840.00 (970)<br>International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00 (956)<br>No international preliminary examination fee paid to USPTO (37 CFR 1.482)<br>but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$690.00 (958)<br>Neither international preliminary examination fee (37 CFR 1.482) nor<br>international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00 (960)<br>International preliminary examination fee paid to USPTO (37 CFR 1.482)<br>and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00 (962) |              |              |                  |                        |              |
| ENTER APPROPRIATE BASIC FEE AMOUNT =  |              |              |                  | \$ 840.00              |              |
| Surcharge of \$130.00 (154) for furnishing the oath or declaration later than 20 <input type="checkbox"/> 30 <input type="checkbox"/> months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |              |                  | \$ 0.00                |              |
| Claims  | Number Filed | Number Extra | Rate             |                        |              |
| Total Claims  | 36 - 20 =    | 16           | X\$18.00 (966)   | \$ 288.00              |              |
| Independent Claims  | 2 - 3 =      | 0            | X\$78.00 (964)   | \$ 0.00                |              |
| Multiple dependent claim(s) (if applicable)   |              |              | + \$260.00 (968) | \$ 0.00                |              |
| TOTAL OF ABOVE CALCULATIONS =   |              |              |                  | \$ 1128.00             |              |
| Reduction for 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).   |              |              |                  | \$ 564.00              |              |
| SUBTOTAL =  |              |              |                  | \$ 564.00              |              |
| Processing fee of \$130.00 (156) for furnishing the English translation later than 20 <input type="checkbox"/> 30 <input type="checkbox"/> months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |              |                  | \$ 0.00                |              |
| TOTAL NATIONAL FEE =  |              |              |                  | \$ 564.00              |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property +  |              |              |                  | \$ 0.00                |              |
| TOTAL FEES ENCLOSED =   |              |              |                  | \$ 564.00              |              |
|   |              |              |                  | Amount to be: refunded | \$           |
|   |              |              |                  | charged                |              |

Applicant is hereby authorized to charge any additional fees which may be required by the PTO. No. 02-4800. A duplicate copy of this sheet is enclosed.  
 If under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to pending status.

  
 SIGNATURE

Robin L. Teskin  
 NAME

35,030  
 REGISTRATION NUMBER

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )

Günter SCHMIDT et al. )

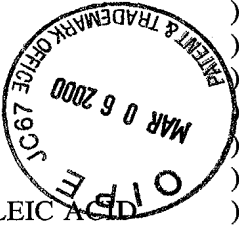
Application No.: 09/462,635 )

Filed: January 11, 2000 )

For: CATEGORISING NUCLEIC ACID )

) Group Art Unit: Unassigned

) Examiner: Unassigned



**TRANSMITTAL OF VERIFIED STATEMENT CLAIMING  
SMALL ENTITY STATUS - SMALL BUSINESS CONCERN**

Assistant Commissioner for Patents  
Washington, D.C. 20231

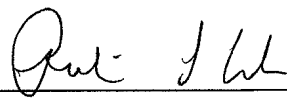
Sir:

Transmitted herewith is a Verified Statement (Declaration) Claiming Small Entity Status,  
duly executed by the Assignee of the above-identified patent application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: March 6, 2000

By:   
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